

SUMMARY:

In response to the Commission's Notice of Proposed Rulemaking in WT Docket No. 02-8 and FCC 02-15, Fleetwood Group, Inc. ("Fleetwood") hereby respectfully submits comments related to band reallocation. Specifically, Fleetwood is concerned about the impact of reallocation of the 216-220 MHz band. Comments are also included related to the rule change 01-382, which impacts two of our channels in the 216-217 MHz band by assigning usage to Part 95 only.

INTRODUCTION:

Fleetwood is a manufacturer of a high quality and unique product that allows participants in one or more audiences to submit electronic "votes" for collection, tabulation, and display for group decision making, education, conferences, etc.

Our customer base is large and diverse throughout the United States and the world. Our "Reply" product consists of one or more "base" units that transmit in the 216-220 MHz band to multiple "keypad" units. The venues where our products are in use vary from small committee meetings to very large stadium style events. Fleetwood has had FCC approval since 1989 for several "base" units and currently manufactures 5 distinct products that are to be directly impacted by this rule making.

Our customer base is composed of numerous dealers and value-added resellers as well as corporate, educational, and government end users. More than 4000 approved transmitter "bases" are in use around the country. These "bases" communicate with more than 175,000 "keypads". We are concerned that existing customers will not be able to expand their own usage throughout the country and that we would be significantly hindered as a manufacturer in being able to sell to new and existing customers alike. The potential financial impact to our company and our dealers could be termed as catastrophic.

DETAILS:

Our "base" stations are presently approved by the FCC under FCC ID FBR5FKRSPTX-1 and FCC ID FBR-TX216SYN-2 and we have been diligent to maintain all necessary compliances with FCC Title 47, Chapter 1, Part 90. Our customers value our commitment to the 216-220 MHz band and to the continued ability to deliver product that is backwards compatible with their own inventories. We frequently sell additional equipment ("keypad" and "base") units to expand systems that have been in the field for many years.

The Commission has recognized that many entities (including Fleetwood) operate on the 216-220MHz band as a secondary user. It is our hope that the Commission give frank and honest consideration for incumbent companies, such as ours, to continue operation in the 216-220 MHz band as secondary users. Specifically, we request approval to continue to sell and operate in the 216-220 MHz band, equipment that is certified. This equipment should include currently manufactured products, products with permissive design changes, and completely new products that would be tested for compliance and submitted for approval.

In regard to growth in our market and protection of our customer's interests:

1. We request a clear ruling on the changes by Report and Order and Memorandum Opinion and Order FCC 01-382. Specifically, we request a ruling on the grandfather clause "...Government and Non-Government telemetry incumbents will be grandfathered on a secondary basis in the 216-220 MHz band and new secondary telemetry operations will be permitted in the 217-220 MHz portion of the band." Does this allow existing licensees to apply for a modified or new license application to add more transmitters to their existing systems?
2. We request a clear ruling on the meaning of the following statement in 01-382, paragraph 26: "While it would not be equitable to force incumbent operations to relocate, we believe that we should no longer accept new applications in order to protect LPRS devices. Accordingly, new assignments will no longer be permitted for Government and non-Government operations in the 216-217 MHz band after January 1, 2002." Does "no new assignments" allow for existing

licensees to apply for a modified or new license application to add more transmitters to their existing systems?

3. We request a clear ruling from the Commission in FCC 02-15 and FCC 02-8 on the supply of additional "FCC certified equipment(s)". We must be able to sell not only to existing, licensed customers, but also to existing customers who would be seeking new licenses to operate in the 216-220 MHz band as secondary users either because of previous license expiration or need for previous license modification. We also seek clarification for customers whose license has expired and is in need of renewal.
4. We request a clear ruling from the Commission in FCC 02-15 and FCC 02-8 on the supply of "FCC certified equipment(s)" to new customers who would be seeking new licenses to operate in the 216-220 MHz band as secondary users.
5. We request that the band of 217-220 MHz remain available on a secondary basis through Part 90 without specific geographical auctions or limitations for existing and new customers alike. Our customers frequently use our systems as mobile or itinerant usage around the country. Geographical limitations or specific site licensing would unfairly burden the use of our products.
6. The Commission has discussed, and is currently seeking comments on, numerous issues in FCC 02-15 and FCC 02-8 that could potentially damage our ability to continue to serve this market. We would be opposed to any rule changes which either directly or indirectly impact the following technical specifications:
 - a) Channel Assignments: We request that no specific channel assignments are made for secondary users. Our specific channel assignments are 216.0125 MHz, 216.5125 MHz, 217.0125 MHz, 217.5125 MHz, 218.0125 MHz, 218.5125 MHz, 219.0125 MHz and 219.5125 MHz. Should the Commission decide to assign specific channels, we request channel spacing of at least 50 kHz and/or a channel spacing of not more than 250 kHz.
 - b) Output Power: ≥ 100 mW.
 - c) Bandwidth Limits: Minimum occupied bandwidth no lower than 25 kHz.
 - d) Stability Limits Due to Temperature: ± 15 PPM maximum.
 - e) Stability Limits Due to AC Voltage Change: ± 5 PPM maximum.
 - f) Conducted Out-of-Band Emission Limits: ≥ 94 dB μ V.
 - g) Radiated Out-of-Band Emission Limits: ≥ 84 dB μ V.

CONCLUSION:

Fleetwood requests that the Commission considers the breadth of our install base and financial encumbrance brought about by these rulings on Fleetwood and its customers. Please note that the actions taken in FCC 01-382 already removed the ability for new license users to operate between 216-217 MHz due to the reallocation to Part 95. We lost two of our eight channels as a result of that change.

As currently written, FCC 02-8 does not change our remaining channels or products. Many of the items that were requested for public feedback could, however, drastically hinder our ability to serve our customers and thrive as a business. We are seeking clarification regarding the purchase of new equipment by both new and existing licensed users in the 216-217 MHz band and our future use of the 217-220 MHz band. We request approval to continue to produce and provide equipment in this spectrum as we have been authorized in the past.